

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States District Court
Southern District of Texas
FILED

DEC 29 2018

David J. Bradley, Clerk

United States of America)
v.)
Rolando Silvestre DIAZ-Sanchez YOB: 1986)
COC: MEX)
Joel HERNANDEZ-Mendoza YOB: 1991)
COC: MEX)

Case No.

M-18-2659-AA

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 12-29-2018 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

21 USC 841(a)(1)

Knowingly and intentionally possess with intent to distribute approximately
103 kilograms of marijuana, a schedule I controlled substance.

This criminal complaint is based on these facts:

SEE "ATTACHMENT I"

Submitted by reliable electronic means, sworn to and attested telephonically per FED.R. Cr. 4.1, and probable cause found on:

☒ Continued on the attached sheet.

Submitted by reliable electronic means,
sworn to, attested to telephonically per
Fed.R.Crim.P. 4.1, and probable cause
found on:

/s/ Angelita Perez

Complainant's signature

Angelita Perez, DEA TFO

Printed name and title

Sworn to before me.

Date: December 29, 2018 12:44 p.m.City and state: McAllen, Texas

Judge's signature

Peter E. Ormsby, U.S. Magistrate Judge

Printed name and title

ATTACHMENT A

The information contained in this affidavit is information based on the personal knowledge of the Affiant and other law enforcement officials assigned to this investigation.

On December 29, 2018 at approximately, 1:08AM, a Border Patrol Agent (BPA) near La Joya, Texas was notified that the Border Patrol Aerostat had observed approximately seven (7) subjects carrying bundles of suspected narcotics on their backs.

Border Patrol Agents responded to the area where the subjects were observed running south with the bundles. The subjects continued south into thicker. With the assistance of a Border Patrol Canine Agent and his canine partner, Agents located and seized a total of ten (10) bundles and arrested two (2) subjects, Rolando DIAZ-SANCHEZ and Joel HERNANDEZ- MENDOZA.

The bundles were transported to the McAllen Border Patrol Station. Once at McAllen Border Patrol Station, the contents were field tested utilizing the NarcoPouch, 908 Duquenois-Levine Reagent test kit and tested positive for the characteristics of marijuana. The bundles weighted approximately 103 kilograms.

On the same date, Drug Enforcement Administration (DEA) Agents responded to the McAllen Border Patrol Station to interview DIAZ-SANCHEZ and HERNANDEZ- MENDOZA.

Agents read DIAZ-SANCHEZ his rights in his preferred language of Spanish. DIAZ-SANCHEZ stated he understood his rights and agreed to speak with the agents without an attorney present. DIAZ-SANCHEZ admitted to transporting bundles of marijuana and stated that he wanted to cross into the United States but that he did not have the funds to pay to cross. DIAZ-SANCHEZ stated that he had agreed to transport the bundles in return for his crossing into the United States.

On that same date, Agents read HERNANDEZ- MENDOZA his rights in his preferred language of Spanish. HERNANDEZ- MENDOZA stated he understood his rights and agreed to speak with the agents without an attorney present. HERNANDEZ- MENDOZA admitted to transporting bundles of marijuana and stated that he wanted to cross into the United States but that he did not have the funds to pay to cross. In addition, HERNANDEZ- MENDOZA stated that he had been threatened to be assaulted if he refused to transport the bundles into the United States.